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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	1	of	1
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**Complete if Known**

Application Number	10/729,552
Filing Date	December 5, 2003
First Named Inventor	Mark E. Deem
Art Unit	3765
Examiner Name	Unassigned
Attorney Docket Number	SATTY 69243

## U.S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

[illegible]

**Examiner  
Signature**

MT Andersen

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8/29/06

44776.1

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 514362000204

Application Number 10/729,552

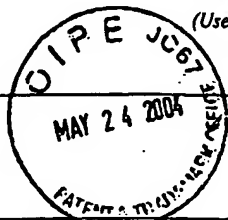
Applicant

Mark E. DEEM et al.

Filing Date December 5, 2003

Group Art Unit 3765

Mailing Date May 21, 2004



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
MTA	1.	10/03/2002	2002/0143346	McGuckin, JR. et al.			
	2.	05/15/2003	2003/0093117	Saadat			
	3.	06/26/2003	2003/0120289	McGuckin, JR. et al.			
	4.	02/05/2004	2004/0024386	Deem et al.			
	5.	09/09/1986	4,610,383	Rothfuss et al.			
	6.	06/27/1989	4,841,888	Mills et al.			
	7.	08/06/1991	5,037,021	Mills et al.			
	8.	10/20/1992	5,156,609	Nakao et al.			
	9.	07/19/1994	5,330,486	Wilk			
	10.	09/03/1996	5,551,622	Yoon			
	11.	03/04/1997	5,607,094	Clark et al.			
	12.	08/12/1997	5,655,698	Yoon			
	13.	10/14/1997	5,676,674	Bolanos et al.			
	14.	04/27/1999	5,897,562	Bolanos et al.			
	15.	12/26/2000	6,165,183	Kuehn et al.			
	16.	07/03/2001	6,254,642	Taylor			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
MTA	17.	12/24/2003	WO 03/105563	WIPO			
MTA	18.	12/24/2003	WO 03/105671	WIPO			

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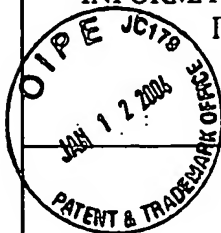
Applicant

Mark E. DEEM et al.

Filing Date December 5, 2003

Group Art Unit Not Yet Assigned

Mailing Date January 8, 2004



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
MTA	1.	09/22/2000	60/234,360	Schurr			
	2.	04/04/2002	2002/0040226	Laufer et al.			
	3.	06/13/2002	2002/0072761	Abrams et al.			
	4.	06/27/2002	2002/0078967	Sixto, Jr. et al.			
	5.	06/27/2002	2002/0082621	Schurr et al.			
	6.	12/19/2002	2002/0193816	Laufer et al.			
	7.	04/03/2003	2003/0065359	Weller et al.			
	8.	06/12/2003	2003/0109892	Deem et al.			
	9.	06/26/2003	2003/0120265	Deem et al.			
	10.	08/21/2003	2003/0158563	McClellan et al.			
	11.	10/15/1985	4,547,192	Brodsky et al.			
	12.	12/13/1988	4,790,294	Allred, III et al.			
	13.	06/29/1993	5,222,961	Nakao et al.			
	14.	07/12/1994	5,327,914	Shlain			
	15.	07/19/1994	5,330,503	Yoon			
	16.	09/13/1994	5,345,949	Shlain			
	17.	10/18/1994	5,355,897	Pietrafitta et al.			
	18.	01/17/1995	5,382,231	Shlain			
	19.	04/04/1995	5,403,326	Harrison et al.			
	20.	08/01/1995	5,437,291	Pasricha et al.			
	21.	06/18/1996	5,527,319	Green et al.			
	22.	08/27/1996	5,549,621	Bessler et al.			
	23.	11/05/1996	5,571,116	Bolanos et al.			
	24.	12/10/1996	5,582,616	Bolduc et al.			
	25.	12/17/1996	5,584,861	Swain et al.			
	26.	04/29/1997	5,624,381	Kieturakis			

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Docket Number 514362000204

Application Number 10/729,552

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Applicant

Mark E. DEEM et al.

Filing Date December 5, 2003

Group Art Unit Not Yet Assigned

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MTA	27.	05/06/1997	5,626,588	Sauer et al.					
	28.	07/29/1997	5,651,769	Waxman et al.					
	29.	11/25/1997	5,690,656	Cope et al.					
	30.	03/03/1998	5,722,990	Sugarbaker et al.					
	31.	03/17/1998	5,728,178	Buffington et al.					
	32.	05/12/1998	5,749,893	Vidal et al.					
	33.	05/26/1998	5,755,730	Swain et al.					
	34.	07/21/1998	5,782,844	Yoon et al.					
	35.	08/11/1998	5,792,153	Swain et al.					
	36.	09/22/1998	5,810,851	Yoon					
	37.	09/22/1998	5,810,882	Bolduc et al.					
	38.	10/20/1998	5,824,008	Bolduc et al.					
	39.	10/27/1998	5,827,298	Hart et al.					
	40.	02/09/1999	5,868,141	Ellias					
	41.	03/09/1999	5,879,371	Gardiner et al.					
	42.	03/30/1999	5,887,594	LoCicero, III					
	43.	04/27/1999	5,897,534	Heim et al.					
	44.	06/08/1999	5,910,105	Swain et al.					
	45.	07/27/1999	5,928,264	Sugarbaker et al.					
	46.	09/07/1999	5,947,983	Solar et al.					
	47.	10/12/1999	5,964,772	Bolduc et al.					
	48.	10/12/1999	5,964,782	Lafontaine et al.					
	49.	10/26/1999	5,972,001	Yoon					
	50.	11/02/1999	5,976,161	Kirsch et al.					
	51.	03/28/2000	6,042,538	Puskas					
	52.	05/30/2000	6,067,991	Forsell					
	53.	09/05/2000	6,113,609	Adams					
	54.	12/12/2000	6,159,146	El Gazayerli					
	55.	01/30/2001	6,179,195	Adams et al.					

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Application Number 10/729,552

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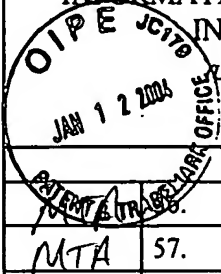
Mark E. DEEM et al.

Filing Date December 5, 2003

Group Art Unit Not Yet Assigned

Mailing Date January 8, 2004

(Use several sheets if necessary)



57.	03/06/2001	6,197,022	Baker				
58.	05/15/2001	6,231,561	Frazier et al.				
59.	12/11/2001	6,328,689	Gonzalez et al.				
60.	09/10/2002	6,447,533	Adams				
61.	12/17/2002	6,494,888	Laufer et al.				
62.	01/14/2003	6,506,196	Laufer				
63.	05/06/2003	6,558,400	Deem et al.				

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
MTA	63.	03/19/1986	EP 0 174 843	Europe			
	64.	10/28/1999	WO 99/53827	WIPO			
	65.	12/28/2000	WO 00/78227	WIPO			
	66.	12/28/2000	WO 00/78229	WIPO			
	67.	11/15/2001	WO 01/85034	WIPO			
	68.	03/28/2002	WO 02/24080	WIPO			
	69.	05/23/2002	WO 02/39880	WIPO			
	70.	12/05/2002	WO 02/096327	WIPO			
	71.	01/30/2003	WO 03/007796	WIPO			

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	72.	Cummings, D.E. et al. (2002). "Plasma Ghrelin Levels After Diet-Induced Weight Loss or Gastric Bypass Surgery," <i>N. Engl. J. Med.</i> 346(21):1623-1630.
	73.	Davenport, H.W. (1971). <i>Physiology of the Digestive Tract</i> , Third Edition, Year Book Medical Publishers, Inc.: Chicago, IL, pp. 9-10 (Table of Contents Only.)
	74.	DeMeester, T.R. (2002). "Evolving Concepts of Reflux: The Ups and Downs of the LES," <i>Can. J. Gastroenterol</i> 16(5):327-331. DeMeester, T.R. (2002). "Evolving Concepts of Reflux: The Ups and Downs of the LES," <i>Can. J. Gastroenterol</i> 16(5):327-331.

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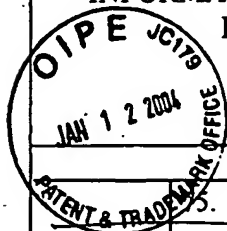
Applicant

Mark E. DEEM et al.

Filing Date December 5, 2003

Group Art Unit Not Yet Assigned

Mailing Date January 8, 2004



Villar, H.V. et al (1981). "Mechanisms of Satiety and Gastric Emptying After Gastric Partitioning and Bypass," *Surgery* 90(2):229-236.

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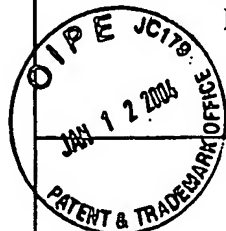
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## U.S. PATENT DOCUMENTS

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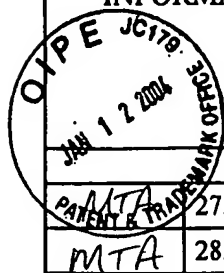
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31.	03/17/1998	5,728,178	Buffington et al.						
32.	05/12/1998	5,749,893	Vidal et al.						
33.	05/26/1998	5,755,730	Swain et al.						
34.	07/21/1998	5,782,844	Yoon et al.						
35.	08/11/1998	5,792,153	Swain et al.						
36.	09/22/1998	5,810,851	Yoon						
37.	09/22/1998	5,810,882	Bolduc et al.						
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43.	04/27/1999	5,897,534	Heim et al.						
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45.	07/27/1999	5,928,264	Sugarbaker et al.						
46.	09/07/1999	5,947,983	Solar et al.						
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49.	10/26/1999	5,972,001	Yoon						
50.	11/02/1999	5,976,161	Kirsch et al.						
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52.	05/30/2000	6,067,991	Forsell						
53.	09/05/2000	6,113,609	Adams						
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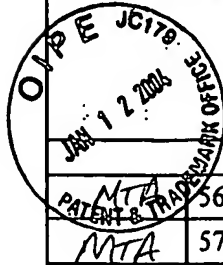
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	66.	12/28/2000	WO 00/78229	WIPO				
	67.	11/15/2001	WO 01/85034	WIPO				
	68.	03/28/2002	WO 02/24080	WIPO				
	69.	05/23/2002	WO 02/39880	WIPO				
	70.	12/05/2002	WO 02/096327	WIPO				
	71.	01/30/2003	WO 03/007796	WIPO				

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	73.	Davenport, H.W. (1971). <i>Physiology of the Digestive Tract</i> , Third Edition, Year Book Medical Publishers, Inc.: Chicago, IL, pp. 9-10 (Table of Contents Only.)
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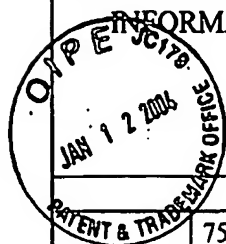
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75.

Villar, H.V. et al. (1981). "Mechanisms of Satiety and Gastric Emptying After Gastric Partitioning and Bypass," *Surgery* 90(2):229-236.

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